# Mohd Syafiq Abdullah @ Tiong Choo Ting v Director of Jabatan Agama Islam Sarawak & Ors

HIGH COURT (KUCHING) — APPLICATION FOR JUDICIAL REVIEW NO KCH-13NCVC-4/2 OF 2015
ALWI ABDUL WAHAB JC
21 SEPTEMBER 2015

*Administrative Law — Judicial review — Application for — Mandamus — Conversion from Christianity to Islam — Department of Islamic Affairs of Sarawak refused to issue certificate to leave Islam*

*Constitutional Law — Courts — Jurisdiction — Conversion from Christianity to Islam — Whether jurisdiction to hear matter within Civil or Syariah Court*

The applicant was a Christian before he converted into Islam in 1996. After the passing of his wife, the applicant returned to practise Christianity and had been baptised as a Christian. The applicant indicated to the Department of Islamic Affairs of Sarawak that he wished to leave Islam and convert back to Christianity in 2009. In 2010, he attended a three day course called 'Kursus Esq' in adherence of the procedures to leave Islam but upon completion of the course, the Department of Islamic Affairs of Sarawak refused to issue the certificate to leave Islam. The applicant requested for the letter of release from Islam to declare that he was no longer a Muslim but there was no response from the first and second respondents. Hence, this application for leave for a judicial review, seeking the reliefs for: a declaration that the applicant was a Christian; an order of mandamus to compel the first and/or second respondents to issue the letter of release from Islam ie *surat murtad* to the applicant effecting the applicant's intention to be released from the religion of Islam; an order of mandamus to compel the third respondent to change the applicant's name from Mohd Syafiq Abdullah to Tiong Choo Ting; and an order of mandamus to compel the third respondent to drop the applicant's religion Islam in his identity card and/or the records and/or particulars of the applicant's religion held at the National Registry to that of Christianity. The issue that arose for the court's determination was whether this court had no jurisdiction in hearing this leave application. The applicant submitted that Syariah Court had no jurisdiction over the subject matter of the applicant's application because the applicant did not profess the religion of Islam; and there was no statutory power under state legislation that grants the Syariah Court power to adjudicate the issue of apostasy.

**Held,** dismissing the application:

(1) The applicant was a Muslim professing the religion of Islam before and after his marriage with his Muslim's wife. He became no longer interested in Islam after his wife passed away and practiced Christianity. He started to pursue the matter with the first and second respondents for the release of *surat murtad* but was refused until now. It was due to such refusal the applicant turn to this court for a declaration that he was a Christian and no longer a Muslim. This meant that the applicant was still a Muslim so long as there was no confirmation from the proper authorities to support his affidavit under oath that he intended to come out of Islam (see para 6).

(2) To say that the applicant did not profess the religion of Islam contradicted the very purpose of this application to compel the authorities to issue the letter of release to the applicant to come out from Islam. As the applicant was still a Muslim on papers, the Syariah Court would have a jurisdiction to deal with issues pertaining to the personal law of Muslim under Item 1, Second List under the Ninth Schedule of the Federal Constitution. The applicant's contention that the Syariah Court had no jurisdiction over the matter must fail (see para 7).

(3) Since the matter of renunciation of Islam was related to the personal law of persons professing the religion of Islam, the applicant's application should therefore be properly adjudicated by the Syariah Court. This issue required substantial consideration of the Islamic law and jurisprudence by the experts in these areas. Thus, the right forum to deal with this matter would be the Syariah Court (see para 19).

(4) The two letters from Jabatan Kehakiman Syariah Sarawak exhibited by the applicant merely show the current position as far as the two pieces of legislation in Sarawak ie Syariah Court Ordinance 2001 and Majlis Islam Sarawak Ordinance 2001 which did not have provision in relation to apostasy. Relying on the authorities cited above, the absent of express provision in both Ordinances would not confer the jurisdiction in the civil court and the fact that the applicant might not have his remedy in the Syariah Court would not make the jurisdiction exercisable by the civil court (see para 20).

**[Bahasa Malaysia summary**

Pemohon adalah seorang beragama Kristian sebelum dia memeluk agama Islam pada tahun 1996. Selepas isterinya meninggal dunia, pemohon kembali mengamalkan agama Kristian dan telah dibaptiskan sebagai Kristian. Pemohon memberitahu Jabatan Hal Ehwal Agama Islam Sarawak yang dia ingin meninggalkan agama Islam dan menukar kembali kepada agama Kristian pada tahun 2009. Pada tahun 2010, dia menghadiri kursus selama tiga hari dikenali sebagai 'Kursus Esq' dalam mematuhi prosedur untuk meninggalkan

Islam tetapi selepas tamat kursus tersebut, Jabatan Hal Ehwal Agama Islam Sarawak enggan mengeluarkan sijil untuk meninggalkan agama Islam. Pemohon memohon bagi surat pelepasan daripada Islam untuk mengisytiharkan yang dia bukan lagi seorang Muslim tetapi tidak terdapat jawapan daripada responden pertama dan kedua. Maka permohonan ini untuk izin bagi semakan kehakiman, memohon relief bagi: perisytiharan bahawa pemohon adalah seorang beragama Kristian; perintah mandamus untuk memaksa responden pertama/atau kedua mengeluarkan surat pelepasan daripada Islam iaitu surat murtad kepada pemohon mengakibatkan niat pemohon untuk dilepaskan daripada agam Islam; perintah mandamus untuk memaksa responden ketiga untuk menukar nama pemohon daripada Mohd Syafiq Abdullah kepada Tiong Choo Ting; dan perintah mandamus untuk memaksa responden ketiga untuk menggugurkan agama Islam pemohon dalam kad pengenalannya dan/atau rekod dan/atau butir-butir agama pemohon yang terdapat di dalam Pendaftaran Negara kepada agama Kristian. Isu yang berbangkit untuk penentuan mahkamah adalah sama ada mahkamah ini tidak mempunyai bidang kuasa dalam mendengar permohonan izin ini. Pemohon berhujah bahawa Mahkamah Syariah kerana pemohon tidak mempunyai bidang kuasa atas perkara permohonan pemohon kerana pemohon tidak menganut agama Islam; dan tiada kuasa statutori di bawah undang-undang negeri yang memberikan kepada Mahkamah Syariah kuasa untuk menghakimi isu kemurtadan.

**Diputuskan,** menolak permohonan:

(1) Pemohon adalah seorang Muslim yang menganut agama Islam sebelum dan selepas perkahwinannya dengan isteri Muslimnya. Dia menjadi tidak lagi berminat dalam agama Islam selepas isterinya meninggal dunia dan mengamalkan agama Kristian. Dia mula meneruskan perkara dengan responden pertama dan kedua bagi pelepasan surat murtad tetapi ditolak sehingga kini. Ia adalah kerana penolakan tersebut pemohon memohon kepada mahkamah ini untuk perisytiharan bahawa dia adalah seorang Kristian dan bukan lagi seorang Muslim. Ini bermaksud bahawa pemohon masih seorang Muslim asalkan tidak ada pengesahan daripada pihak berkuasa yang betul untuk menyokong afidavitnya yang diangkat sumpah bahawa dia berniat untuk keluar daripada agama Islam (lihat perenggan 6).

(2) Untuk menyatakan pemohon tidak menganut agama Islam bertentangan dengan tujuan sebenar permohonan ini untuk memaksa pihak berkuasa mengeluarkan surat pelepasan kepada pemohon untuk keluar daripada Islam. Memandangkan pemohon atas kertas masih seorang Muslim, Mahkamah Syariah mempunyai bidang kuasa untuk mendengar isu berkaitan undang-undang peribadi seorang Muslim di bawah Item 1, Senarai Kedua di bawah Jadual Kesembilan Perlembagaan Persekutuan. Hujahan pemohon bahawa Mahkamah Syariah tidak

mempunyai bidang kuasa ke atas perkara tersebut mesti gagal (lihat perenggan 7).

(3) Memandangkan perkara meninggalkan Islam berkaitan undang-undang peribadi orang yang menganut agama Islam, permohonan pemohon oleh itu secara betul patut dihakimi oleh Mahkamah Syariah. Isu ini memerlukan pertimbangan substansial undang-undang Islam dan jurisprudens oleh pakar-pakar dalam perkara ini. Oleh itu, forum betul untuk mendengar perkara ini adalah Mahkamah Syariah (lihat perenggan 19).

(4) Dua syarat daripada Jabatan Kehakiman Syariah Sarawak yang dilampirkan oleh pemohon hanya menunjukkan kedudukan sekarang mengenai dua peruntukan undang-undang iaitu Ordinan Mahkamah Syariah 2001 dan Ordinan Majlis Islam Sarawak 2001 yang tidak mempunyai peruntukan berkaitan kemurtadan. Bergantung ke atas autoriti yang dirujuk di atas, ketiadaan peruntukan nyata di dalam kedua-dua Ordinan tidak akan memberikan bidang kuasa dalam mahkamah sivil dan fakta bahawa pemohon tidak mungkin mempunyai remedinya di dalam Mahkamah Syariah tidak akan membuatkan bidang kuasa dilaksanakan oleh mahkamah sivil (lihat perenggan 20).]

**Notes**

For cases on application for, see 1(1) *Mallal's Digest* (5th Ed, 2015) paras 312–342.

For cases on jurisdiction, see 3(2) *Mallal's Digest* (5th Ed, 2015) paras 2533–2564.

**Cases referred to**

*Dalip Kaur v Pegawai Polis Daerah, Balai Polis Daerah, Bukit Mertajam & Anor* [1992] 1 MLJ 1, SC (folld)

*Hj Raimi bin Abdullah v Siti Hasnah Vangarama bt Abdullah and another appeal* [2014] 3 MLJ 757, FC (refd)

*Latifah bte Mat Zin v Rosmawati bte Sharibun & Anor* [2007] 5 MLJ 101, FC (refd)

*Lina Joy lwn Majlis Agama Islam Wilayah Persekutuan dan lain-lain* [2007] 4 MLJ 585, FC (folld)

*Majlis Ugama Islam Pulau Pinang dan Seberang Perai v Shaik Zolkaffily bin Shaik Natar & Ors* [2003] 3 MLJ 705, FC (folld)

*Md Hakim Lee v Majlis Agama Islam Wilayah Persekutuan, Kuala Lumpur* [1998] 1 MLJ 681, HC (folld)

*Soon Singh a/l Bikar Singh v Pertubuhan Kebajikan Islam Malaysia (PERKIM) Kedah & Anor* [1999] 1 MLJ 489, FC (refd)

**Legislation referred to**

Federal Constitution art 11, Ninth Schedule, List II, Item 1
Majlis Islam Sarawak Ordinance 2001 ss 68, 69, 70
Syariah Court Ordinance 2001

*Joshua Baru (Baru Bian & Co Advocates) for the applicant.*
*Hisyamudin bin Roslan (State Legal Officer, Sarawak State Attorney General's Chambers) for the first, second and fourth respondent.*
*Mohd Taufik bin Mohd @ Mohd Yusoff (Senior Federal Counsel, Attorney General's Chambers) for the third respondent.*

**Alwi Abdul Wahab JC:**

INTRODUCTION

**[1]** This is the applicant's application for leave for a judicial review. The reliefs sought for are as follows:

(a) a declaration that the applicant is a Christian;

(b) an order of mandamus to compel the first and/or second respondents to issue the letter of release from the religion of Islam ie *surat murtad* to the applicant effecting the applicant's intention to be released from the religion of Islam;

(c) an order of mandamus to compel the third respondent to change the applicant's name from Mohd Syafiq Abdullah to Tiong Choo Ting;

(d) an order of mandamus to compel the third respondent to drop the applicant's religion Islam in his identity card and/or the records and/or particulars of the applicant's religion held at the National Registry to that of Christianity;

(e) costs; and

(f) any further or other relief deems fit and proper by this honourable court.

FACTS LEADING TO THIS APPLICATION

**[2]** The applicant, a mixed heritage of Chinese and Bidayuh was born on the 29 May 1960 and was given the name of Tiong Choo Ting as stated in his birth certificate ('exh AT1'). He converted into Islam in 1996 at about the age of 36 years old before he got married to his wife Siti Aishah bt Bahadar, a Muslim on 13 December 1997. After almost ten years of marriage his wife passed away on the 8 September 2007. Since then, he had returned to practise his previous religion ie Christian together with his Chinese family. Further, he had been baptised as a Christian in the Anglican Church of Saint Faith's Church.

**[3]** The applicant indicated to the Department of Islamic Affairs of Sarawak that he wished to leave Islam and converted back to Christianity in 2009, two years after his Muslim wife passed away. In 2010, he attended a three-day course called 'Kursus Esq' in adherence of the procedures to leave Islam but upon completion of the course, the Department of Islamic Affairs of Sarawak refused to issue the certificate to leave Islam. He then wrote a letter twice to the first respondent both dated 27 August 2014 and 25 November 2015 respectively to request the letters of release from Islam to declare that he is no longer a Muslim but there was no response from the first and second respondents. Hence, this application as mentioned in para 1 of this judgment to compel the first and the second respondents to issue the letters of release from the religion of Islam and for the National Registration Department ('the NRD'), the third respondent to change his name from Mohd Syafiq Abdullah back to his given name Tiong Choo Ting and also to change his religion to Christian in his identity card.

JURISDICTIONAL ISSUE

**[4]** At the outset, the learned senior federal counsel ('the learned SFC'), Mr Mohd Taufik bin Mohd Yusoff raised important issue for my consideration by submitting that this court had no jurisdiction in hearing this leave application. In other words the applicant cannot resort to the civil court for a declaration to be out of Islam. The learned SFC submits that the issue of apostasy is a matter related to Islamic law and the civil court shall not interfere in this matter. He supported his submission with a series of cases namely: *Soon Singh a/l Bikar Singh v Pertubuhan Kebajikan Islam Malaysia (PERKIM) Kedah & Anor* [1999] 1 MLJ 489; *Lina Joy lwn Majlis Agama Islam Wilayah Persekutuan dan lain-lain* [2007] 4 MLJ 585; *Majlis Ugama Islam Pulau Pinang dan Seberang Perai v Shaik Zolkaffily bin Shaik Natar & Ors* [2003] 3 MLJ 705; and one recent case decided in 2014 ie *Hj Raimi bin Abdullah v Siti Hasnah Vangarama bt Abdullah and another appeal* [2014] 3 MLJ 757.

**[5]** In response to the learned SFC's objection, learned counsel for the applicant, Mr Joshua Baru gave two reasons why the Syariah Court has no jurisdiction over the subject matter of the applicant's application and submitted that the civil court has jurisdiction instead. The reasons are as follows:

(a) the applicant does not profess the religion of Islam; and

(b) there is no statutory power under state legislation that grants the Syariah Court power to adjudicate the issue of apostasy.

THE APPLICANT DOES NOT PROFESS THE RELIGION OF ISLAM

**[6]** Based on the factual background of this case outlined in the applicant's affidavit in support (encl 3), he was a Muslim professing the religion of Islam before and after his marriage with his Muslim's wife. He became no longer interested in Islam after his wife passed away and practiced Christianity. He started to pursue the matter with the first and second respondents for the release of *surat murtad* but refused until now. It was due to such refusal the applicant turn to this court for a declaration that he is a Christian and no longer a Muslim. What this means is that the applicant is still a Muslim so long as there is no confirmation from the proper authorities to support his affidavit under oath that he intended to come out of Islam.

**[7]** In my view, to say that the applicant does not profess the religion of Islam contradicts the very purpose of this application to compel the authorities to issue the letters of release to the applicant to come out from Islam. As the applicant is still a Muslim on papers, the Syariah Court would have a jurisdiction to deal with issues pertaining to the personal law of Muslim under Item 1, Second List under the Ninth Schedule of the Federal Constitution. On the above reasons, the first ground relied by the applicant to support his contention that the Syariah Court has no jurisdiction over the matter in the instant case must fail.

THERE IS NO STATUTORY POWER UNDER STATE LEGISLATION THAT GRANTS THE SYARIAH COURT POWER TO ADJUDICATE THE ISSUE OF APOSTASY

**[8]** The applicant submits that there are two pieces of legislation in relation to Islamic matters in Sarawak ie Syariah Court Ordinance 2001 and Majlis Islam Sarawak Ordinance 2001. Under the Syariah Court Ordinance, there is nothing stated that the Syariah Court may hear cases in relation to apostasy or conversion out of Islam. Likewise, nothing could be found in Majlis Islam Sarawak Ordinance 2001 which provides for matters relating to apostasy or conversion out from Islam although there are provisions on conversion and the capacity to convert to Islam (ss 68 and 69) and the appointment of the registrar of muslim converts whose duties is to maintain a register and issuance of certification cards to muslim converts (s 70). In the absence of any provisions under the state law relating to apostasy and conversion out of Islam, the applicant submits that art 11 of the Federal Constitution is the only governing law in relation to apostasy and conversion out of Islam. Thus the civil court has jurisdiction to hear this matter.

**[9]** The applicant cited the case of *Latifah bte Mat Zin v Rosmawati bte Sharibun & Anor* [2007] 5 MLJ 101, where the Federal Court stated as follows:

> [43] What it means is that, the Legislature of a State, in making law to 'constitute' and 'organise' the syariah courts shall also provide for the jurisdictions of such courts within the limits allowed by item 1 of the State List ... It can never be that once the syariah courts are established the courts are seized with jurisdiction over all the matters mentioned in item 1 automatically. It has to be provided for.

**[10]** The argument of the applicant is that since Item 1 of the State List, does not provide for any provisions relating to 'apostasy', it follows that there is no way for the State Legislative Assembly in Sarawak could have legislated jurisdiction to the Syariah Court when apostasy was not provided for in the first place.

**[11]** In support of the above, the applicant also referred to the dissenting judgment of Richard Malanjum CJ (Sabah and Sarawak) in *Lina Joy*'s case where His Lordship stated at paras 99, 100 and 104:

> [99] In *Ng Wan Chan v Majlis Ugama Islam Wilayah Persekutuan & Anor (No 2)* [1991] 3 MLJ 487 Eusof Chin J (as he then was) who incidentally was also in the panel that decided Soon Singh case said this at p 489:
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> > The Federal Constitution, Ninth Schedule List II – State List, specifically gives powers to state legislatures to constitute Muslim courts and when constituted, 'shall have jurisdiction only over persons professing the Muslim religion and in respect only of any of the matter included in this paragraph.
> >
> > Therefore, a syariah court derives its jurisdiction under a state law, (for Federal Territories – Act of Parliament) over any matter specified in the State List under the Ninth Schedule of the Federal Constitution.
> >
> > If state law does not confer on the syariah court any jurisdiction to deal with any matter stated in the State List, the syariah court is precluded from dealing with the matter. Jurisdiction cannot be derived by implication.
>
> [100] And in *Lim Chan Seng v Pengarah Jabatan Agama Islam Pulau Pinang* [1996] 3 CLJ 231 the learned High Court Judge was of the view that art 121(1A) by itself did not automatically confer jurisdiction on the syariah court, even on matters that fell under the State List of the Ninth Schedule. It was the view of the learned Judge that the state legislature must first act upon the power given it by arts 74 and 77 of the Constitutionand the State List and thus enact laws conferring the jurisdiction.
>
> [104] Hence, I am in agreement with those views in that jurisdiction must be express and not implied. The doctrine of implied powers must be limited to those matters that are incidental to a power already conferred or matters that are necessary for the performance of a legal grant. And in the matters of fundamental rights there must be as far as possible be express authorisation for curtailment or violation of fundamental freedoms. No court or authority should be easily allowed to have implied powers to curtail rights constitutionally granted.

**[12]** Based on the above authorities, the applicant argued that if the state law does not confer on the Syariah Court any jurisdiction to deal with any matter

stated in the State List of the Ninth Schedule, there is no way that the Syariah Court could deal with the matter as jurisdiction must be express and not by way of implication. This is particularly true in matters of fundamental rights of every citizen where express authorisation must be clearly spelt out.

**[13]** Further, the applicant filed affidavit in support No 2 and enclosed therewith are two letters from Jabatan Kehakaman Syariah Sarawak dated 10 March 2015 ('AT1') and 7 July 2015 ('AT3') respectively confirming that Syariah Court had no jurisdiction to issue a letter of release to come out from Islam.

**[14]** The learned SFC submits that the majority decision of the Federal Court in *Lina Joy*'s agreed with the decision of the Federal Court in *Soon Singh* that as the Syariah Court is seized with jurisdiction on matters relating to conversion to Islam, by implication conversion out of Islam should also deemed to fall under the jurisdiction of the same courts. He referred to the relevant portion of the Federal Court's judgment in *Lina Joy*'s case at para 15.5 and it is stated as follow:

> ... Justeru itu Mahkamah Persekutuan berpendapat bahawa adalah sejajar dengan logik untuk Mahkamah Syariah, yang telah dengan jelasnya diberi bidang kuasa untuk mengadili perkara-perkara yang berkaitan dengan pemelukan agama Islam adalah, secara implikasi perlu, juga mempunyai bidang kuasa untuk mengadili perkara-perkara yang berkaitan dengan keluarnya seorang Muslim dari agama Islam atau kemurtadan.

**[15]** The learned SFC also cited the recent decision of the Federal Court in *Hj Raimi bin Abdullah v Siti Hasnah Vangarama bt Abdullah and another appeal* which applied the ratio in *Lina Joy*'s case. In *Hj Raimi*'s case, Arifin Zakaria CJ, in delivering the judgment of the court, held that: '[22] ... it is settled law that the question of whether a person is a Muslim or not is a matter falling under the exclusive jurisdiction of the Syariah Court'.

**[16]** The learned SFC further submits that although there is no provision affecting apostasy under the Sarawak State Legislation, the Syariah Court still has jurisdiction to adjudicate on this matter. He referred to the case of *Majlis Ugama Islam Pulau Pinang* where the Federal Court approved the judgment of Abdul Kadir Sulaiman J in *Md Hakim Lee v Majlis Agama Islam Wilayah Persekutuan, Kuala Lumpur* [1998] 1 MLJ 681. The Federal Court held:

> The question that may flow from the judgment of Abdul Kadir Sulaiman J, which we agree, would be what happens when a party may not have his remedy expressly stated in the state law pertaining to Muslims? The answer, in our view, is not for the courts to legislate and confer jurisdiction to the civil courts but for the state legislature to provide the remedy. The role of the courts is to interpret the laws and whenever necessary to give effect to the purpose or object of the laws enacted by the

legislatures (see *United Malacca Bhd v Pentadbir Tanah Daerah Alor Gajah and other applications* [2003] 1 MLJ 465; *Chor Phaik Har v Farlim Properties Sdn Bhd* [1994] 3 MLJ 345). We need therefore to give effect to the purpose or object of the amendment to art 121 of the Constitution. As correctly stated by Abdul Kadir Sulaiman, J for which we agree, we requote what his Lordship said at p 689 – 'The fact that the plaintiff may not have his remedy in the syariah court would not make the jurisdiction exercisable by the civil court'.

**[17]** The Federal Court in *Majlis Ugama Islam Pulau Pinang* also agreed with Abdul Kadir Sulaiman J who took the wider approach view in *Md Hakim Lee*'s case.

> By virtue of para 1 in List II of the Ninth Schedule to the Federal Constitution, the jurisdiction lies with the syariah court on its wider jurisdiction over person professing the religion of Islam even if no express provisions are provided in the Act because under art 74 of the Constitution, it is within the competency of the legislature to legislate on the matter. Its absence from the express provision in the Act would not confer the jurisdiction in the civil court.

**[18]** Applying the ratio in *Lina Joy*'s case on implied jurisdiction of the Syariah Court to deal with matters relating to apostasy and the wider approach view adopted by Abdul Kadir Sulaiman J in *Md Hakim Lee*'s case which was approved by the Federal Court in *Majlis Ugama Islam Pulau Pinang* , although the Sarawak state laws do not have provisions relating to apostasy, the Syariah Court still has a wider power on matters touching on the personal law of persons professing the religion of Islam pursuant to para 1 in List II of the Ninth Schedule to the Federal Constitution.

CONCLUSION

**[19]** Since the matter of renunciation of Islam is related to the personal law of persons professing the religion of Islam, the applicant's application should therefore be properly adjudicated by the Syariah Court. This issue requires substantial consideration of the Islamic law and jurisprudence by the experts in these areas. Thus, the right forum to deal with this matter is the Syariah Court (*Dalip Kaur v Pegawai Polis Daerah, Balai Polis Daerah, Bukit Mertajam & Anor* [1992] 1 MLJ 1).

**[20]** The two letters from Jabatan Kehakiman Syariah Sarawak exhibited by the applicant merely show the current position as far as the two pieces of legislation in Sarawak ie Syariah Court Ordinance 2001 and Majlis Islam Sarawak Ordinance 2001 which do not have provision in relation to apostasy. Relying on the authorities cited above, the absent of express provision in both Ordinances would not confer the jurisdiction in the civil court and the fact that the applicant may not have his remedy in the Syariah Court would not make

the jurisdiction exercisable by the civil court (*Majlis Ugama Islam Pulau Pinang*). A

**[21]** For all the above reasons, the applicant's application for leave for judicial review is dismissed. B

*Application dismissed.*

Reported by Afiq Mohamad Noor C

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